

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
SEPTEMBER 21, 2021 AGENDA**

Subject:	Type:	Submitted By:
AUTHORIZE NEGOTIATIONS FOR CONSTRUCTION MANAGEMENT AT RISK CONTRACT – CENTRAL PARK PAVILION & SITE IMPROVEMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA GUNN CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared to authorize negotiations for a construction management at risk contract with JE Dunn Construction Company, Omaha, Nebraska, for the Central Park Pavilion & Site Improvements located north of 8302 City Centre Drive in Central Park.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the project.

RECOMMENDATION

Approval

BACKGROUND

As part of the Public Improvements Redevelopment Project pursuant to the Redevelopment Plan for the 84th Street Redevelopment Areas, the City has been converting the former La Vista Falls Golf Course into a regional park (Central Park). Proposed public improvements within southern parts of the former golf course include public pavilion and plaza areas, restrooms, pedestrian connections, and other facilities and improvements that are part of the City's Public Improvement Redevelopment Project and included in the City's Capital Improvement Program.

Use of the Construction Management at Risk (CMR) process for the Central Park Pavilion & Site Improvements project was approved by the City Council on April 20, 2021. A Request for Letters of Interest (RFLI) was subsequently published and ten responses were received. Six firms were designated as prequalified to receive the Request for Proposals (RFP). Council approved those firms on June 15, 2021 and all of them submitted proposals.

The appointed CMR Selection Committee evaluated the proposals on the criteria outlined in Neb. Rev. Stat. Section 13-2911(2) and the City's CMR policy. Members of the Committee include Kim Thomas, Council President, Pat Dowse, City Engineer, Kevin Pokorny, Administrative Services Director, and two La Vista citizens with construction and/or engineering experience—Jeff Schovanec and Jerry Shellberg. All six firms were subsequently interviewed by the CMR Selection Committee. The top three firms from the combined proposal evaluation and the interview evaluation were identified by the committee as:

1. JE Dunn Construction Company
2. Lund Ross Construction Company
3. The Graham Group

The Selection Committee provided a recommendation to the City Administrator that the City engage in contract negotiations with the highest rank ordered firm, JE Dunn Construction Company. The contract will be brought back to the Mayor and Council for approval. Once a contract is in place, the hired firm will work with the City and the City's architect (RDG) on final design and a guaranteed maximum price for the project.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, REGARDING EVALUATION AND RANKING OF CONSTRUCTION MANAGERS AND AUTHORIZING NEGOTIATIONS FOR CONSTRUCTION MANAGEMENT AT RISK CONTRACT FOR PROPOSED CENTRAL PARK PAVILION AND SITE IMPROVEMENTS LOCATED NORTH OF 8302 CITY CENTRE DRIVE IN CENTRAL PARK.

WHEREAS, the Mayor and City Council authorized and approved Construction Management at Risk delivery system ("Construction Management at Risk" or "CMR") under Neb. Rev. Stat. Section 13-2901 et seq ("Act"), approved CMR policies ("Policies"), and approved Construction Management at Risk for the proposed Central Park Pavilion and Site Improvements project located north of 8302 City Centre Drive in Central Park; and

WHEREAS, the Mayor and City Council selected construction managers as prequalified and eligible to receive request for proposals for the CMR contract for the proposed Central Park Pavilion and Site Improvements project and authorized requesting proposal ("RFPs") from them, which RFPs were issued and proposals were received ("Proposals"); and

WHEREAS, the Proposals were referred to the City's CMR selection committee for evaluation and recommendation, which evaluation the selection committee carried out ("Selection Committee Evaluation") taking into consideration applicable criteria and assigning points to each criterion listed in Neb. Rev. Stat. Section 13-2911(2) not in excess of the maximum percentages set forth in the RFPs ("Selection Committee Points Allocation"). Following are the selection committee recommendations based on the Selection Committee Evaluation and best meeting the criteria in the RFPs, including the Selection Committee Points Allocation, listed in order of recommended ranking ("Selection Committee Recommended Ranking"):

1. JE Dunn Construction Company
2. Lund Ross Construction Company
3. The Graham Group; and

WHEREAS, the Mayor and City Council desires to accept, adopt, and approve the Selection Committee Evaluation of the Proposals, Selection Committee Points Allocation, and Selection Committee Recommended Ranking, and authorize negotiation of a CMR contract.

NOW, THEREFORE, BE IT RESOLVED that the following is approved:

1. The recitals above are incorporated herein by reference and approved.
2. The Mayor and Council acknowledges receipt of the Selection Committee Evaluation of the Proposals, including the Selection Committee Points Allocation, and the Selection Committee Recommended Ranking.
3. The Mayor and City Council hereby accepts, adopts, and approves the Selection Committee Evaluation of the Proposals, Selection Committee Points Allocation, and Selection Committee Recommended Ranking, and

makes and approves the following rankings of Proposals as in accordance with applicable requirements and best meeting the criteria in the RFPs:

1. JE Dunn Construction Company
 2. Lund Ross Construction Company
 3. The Graham Group
4. JE Dunn Construction Company is selected as the highest ranked construction manager and the City Administrator or City Engineer, or any designees of the City Administrator or City Engineer, is authorized to enter negotiations for a CMR contract with JE Dunn Construction Company. Any such CMR contract shall be subject to approval of the Mayor and City Council
5. The City Administrator or City Engineer, or any designee of the City Administrator or City Engineer, shall be authorized on behalf of the City to take all actions as she or he determines necessary or appropriate in connection with the Proposal, CMR contract negotiation, the actions approved in this Resolution or the CMR process, except for any action or approval that the Policies expressly require of the Mayor and City Council or the City's selection committee. The authorization provided by this paragraph "5" shall include without limitation:
- a. Negotiating and preparing CMR contracts with prospective construction managers;
 - b. Determining applicable criteria and content of all proposed documents and instruments of the City; and
 - c. Taking all other actions as determined necessary or appropriate under the circumstances to prepare or present a proposed CMR contract to the Mayor and City Council for consideration or approval.

This resolution shall be in full force and take effect from and after adoption as provided by law.

PASSED AND APPROVED THIS 21ST DAY OF SEPTEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk